

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2005 MAR 17 A 11:50

WILLIAM FOLEY,
Plaintiff,

V.

ALCATEL USA, INC.,
Defendant.

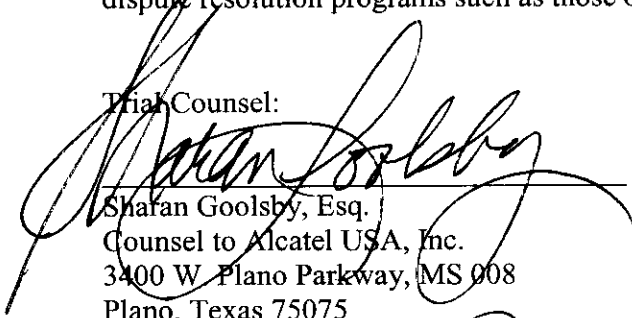
Civil Action No. 04-1216 EFH

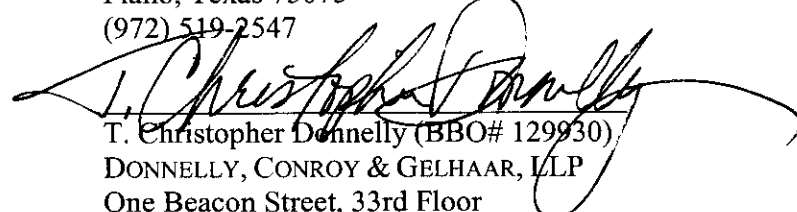
U.S. DISTRICT COURT
DISTRICT OF MASS.

DEFENDANT'S CERTIFICATION UNDER LOCAL RULE 16.1(D)(3)

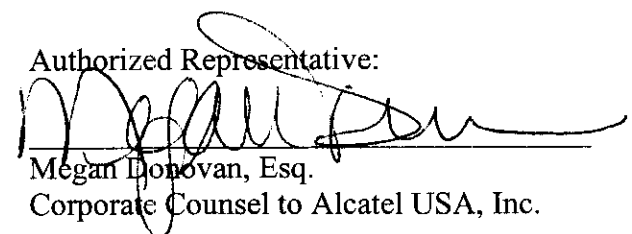
Pursuant to Local Rule 16.1(D)(3), the undersigned trial counsel for defendant Alcatel USA, Inc. ("Alcatel") and Alcatel's authorized representative (its inside counsel, Megan Donovan), hereby certify that they have conferred (a) with a view to establishing a budget for the costs of conducting the full course--and various alternative courses--of this litigation and (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Trial Counsel:


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Authorized Representative:


Megan Donovan, Esq.
Corporate Counsel to Alcatel USA, Inc.

Dated: March 16, 2005